

TO PLAINTIFF'S ATTORNEY: PLEASE CIRCLE TYPE OF ACTION INVOLVED: —
TORT — MOTOR VEHICLE TORT — CONTRACT —
EQUITABLE RELIEF — OTHER

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss
[scal]

FILED
2004 JUN 16 P 12:24
U.S. DISTRICT COURT
DISTRICT OF MASS
SUPERIOR COURT
DEPARTMENT
OF THE
TRIAL COURT
CIVIL ACTION
94-833

Eric Faretra, Plaintiff(s)

v.

John Keith, et al, Defendant(s)

SUMMONS

FILED
IN THE OFFICE OF THE
CLERK OF THE COURTS
MIDDLESEX
MAY 27 2004
Clerk

To the above-named Defendant:

You are hereby summoned and required to serve upon Darin M. Colucci, Esquire
Colucci, Colucci & Marcus, P.C., plaintiff's attorney, whose address is 552 Adams Street
Milton, MA 02186, an answer to the complaint which is herewith
served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you
fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You are also
required to file your answer to the complaint in the office of the Clerk of this court at Cambridge
either before service upon plaintiff's attorney or within a
reasonable time thereafter.

Unless otherwise provided by Rule 13(a), your answer must state as a counterclaim any claim which you may
have against the plaintiff which arises out of the transaction or occurrence that is the subject matter of the plaintiff's
claim or you will thereafter be barred from making such claim in any other action.

Witness, Suzanne V. DeVecchio, Esquire, at Cambridge
the 3rd day of May
in the year of our Lord 2004

Edward J. Sullivan
Clerk

NOTES.

1. This summons is issued pursuant to Rule 4 of the Massachusetts Rules of Civil Procedure.
2. When more than one defendant is involved, the names of all such defendants should appear in the caption. If a separate summons is used for each defendant, each should be addressed to the particular defendant.

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX ss.

SUPERIOR COURT
DEPARTMENT
OF THE
TRIAL COURT
CIVIL ACTION
No. 04-833

Eric Faretira, Plaintiff,

v.

John Keith, et al Defendant,

SUMMONS
(Mass. R. Civ. P. 4)

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N.B. TO PROCESS SERVER:
PLEASE PLACE DATE YOU MAKE SERVICE ON DEFENDANT IN THIS BOX
ON THE ORIGINAL AND ON COPY SERVED ON DEFENDANT.

Dated:

Deputy Sheriff

Eric Faretira

By virtue of this writ I have made diligent search for the within-named JOHN KEITH and for his/her/its last and usual place of abode, and for his tenant, agent, or attorney, but could not find him/her/it within this county, I therefore return this writ without service. Deputy Expense (\$15.00) Total Charges \$15.00

May 18, 2004

Middlesex Sheriff's Office • Civil Process Division, P.O. Box 410180, Cambridge, MA 02141-1819 • (617) 547-1171



Middlesex, ss.

26841042

TO PLAINTIFF'S ATTORNEY: PLEASE CIRCLE TYPE OF ACTION INVOLVED: —
 TORT — MOTOR VEHICLE TORT — CONTRACT —
 EQUITABLE RELIEF — OTHER

COMMONWEALTH OF MASSACHUSETTS

SUPERIOR COURT
 DEPARTMENT
 OF THE
 TRIAL COURT
 CIVIL ACTION
 No. MICV2004-00833

MIDDLESEX, ss
 [seal]

Eric Faretra, Plaintiff(s)

v.

John Keith, et al, Defendant(s)

SUMMONS

To the above-named Defendant:

You are hereby summoned and required to serve upon Darin M. Colucci, Esquire
Colucci, Colucci & Marcus, P.C., plaintiff's attorney, whose address is 552 Adams Street,
Milton, MA 02186, an answer to the complaint which is herewith
 served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you
 fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You are also
 required to file your answer to the complaint in the office of the Clerk of this court at Cambridge
 either before service upon plaintiff's attorney or within a
 reasonable time thereafter.

Unless otherwise provided by Rule 13(a), your answer must state as a counterclaim any claim which you may
 have against the plaintiff which arises out of the transaction or occurrence that is the subject matter of the plaintiff's
 claim or you will thereafter be barred from making such claim in any other action.

Witness, Suzanne V. DeVecchio, Esquire, at Cambridge
 the 7th day of May
2004, in the year of our Lord

Edward J. Sullivan
 Clerk

NOTES.

1. This summons is issued pursuant to Rule 4 of the Massachusetts Rules of Civil Procedure.
2. When more than one defendant is involved, the names of all such defendants should appear in the caption. If a separate summons is used for each defendant, each should be addressed to the particular defendant.

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX ss.

SUPERIOR COURT
DEPARTMENT
OF THE
TRIAL COURT
CIVIL ACTION
No. MICV2004-00833

Eric Faretira Plt.

v.

John Keith, et al. Def.

SUMMONS
(Mass. R. Civ. P. 4)

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N.B. TO PROCESS SERVER:
PLEASE PLACE DATE YOU MAKE SERVICE ON DEFENDANT IN THIS BOX
ON THE ORIGINAL AND ON COPY SERVED ON DEFENDANT.

Dated: _____

I hereby certify and return that on 20....., I served a copy of the within summons, together with a copy of the complaint in this action, upon the within-named defendant, in the following manner (See Mass. R. Civ. P. 4 (d) (1-5)):


PROOF OF SERVICE OF PROCESS

RETURN OF SERVICE

John Keith


May 13, 2004

I hereby certify and return that service was unable to be made because I, Constable Timothy McGonigal, was unable to locate the defendant. I arrived at 216 Belmont Street, Malden, MA on May 13, 2004 and could not locate the defendant at said address. The address is a three (3) family residential dwelling. The names of the current occupants are: 1st floor, Jollymore; Floor 2, Bethoney; and Floor 3, Marguis. I spoke to Mr. Paul Bethoney, a resident of the second floor who stated that his aunt and late uncle, Paul Jollymore and himself did know the defendant, however, since his uncle died approximately 2 years ago, the defendant has not been around and he is not welcome as the families here view him as a 'very bad person'. Mr. Bethoney has no knowledge of the whereabouts of the defendant. After conducting a thorough investigation using Verizon Directory Assistance, United States Postal Service and the internet, I was unable to locate an address for the defendant...no service...due and diligent attempt.


Constable & Court Appointed
Process Server

Subscribed and sworn before me, James M. Desrosiers

this 13th day of May, 2004.


Notary Public
My commission expires March 7, 2008

